

AGENDA

**CONSTRUCTION INDUSTRIES COMMISSION
REGULAR MEETING
Wednesday, November 19, 2014, 9:30 a.m.
5200 Oakland Ave. NE
Albuquerque, NM 87113
Main Conference Room**

- I. CONVENE, DETERMINATION OF QUORUM AND INTRODUCTIONS: COMMISSIONERS AND AUDIENCE**
- II. APPROVE AGENDA**
- III. PUBLIC COMMENT** – Please limit comments to 2 minutes per individual speaker and refrain from revealing the names of parties or case details pertaining to disciplinary matters pending before the Commission.
- IV. DIRECTORS REPORT**
- V. OLD BUSINESS**
 - a. Approval of September 24, 2014 Special Meeting Minutes
- VI. NEW BUSINESS**
 - a. Request for Adoption of Proposed New Rules or Rule Changes:
 1. Rule 14.8.2 NMAC – New Mexico Plumbing Code
 2. Rule 14.8.3 NMAC – New Mexico Swimming Pool, Spa and Hot Tub Code
 3. Rule 14.9.2 NMAC – New Mexico Mechanical Code
 4. Rule 14.9.6 NMAC – New Mexico Solar Energy Code
 5. Rule 14.5.9 NMAC– Code Bond Determination
 - b. Approval of Electrical Continuing Education Courses and Providers
 - c. Approval of Mechanical Continuing Education Courses and Providers
 - d. Approval of Licenses Issued in September and October 2014
 - e. Approval of 2015 CIC Meeting Schedule
- VII. EXECUTIVE SESSION** – The Commission may close the meeting to the public and enter into executive session to discuss the cases listed under agenda items VII(a) – (f), pursuant to NMSA 1978, Sections 10-15-1(H)(1), (3) and (7). Such discussions pertain to the issuance, suspension, renewal or revocation of licenses, deliberations on pending administrative adjudicatory proceedings, and pending or threatened litigation.
 - a. Deliberation on Licensee Disciplinary Action Cases in which Dismissal or Closure is Recommended:
Complaint Committee Recommendation: Dismissal

1. 18; 14-04-21	6. 126; 14-04-08
2. 19; 14-01-23	7. 136; 14-04-16
3. 41; 14-02-06	8. 246; 14-07-10
4. 59; 14-02-25	9. 293; 14-07-25
5. 109; 14-03-28	10. 301; 14-07-31

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Complaint Committee Recommendation: Closure

- | | |
|-------------|-------------------|
| 11. 12-2366 | 20. 253; 13-06-26 |
| 12. 12-2372 | 21. 15; 14-01-15 |
| 13. 12-2431 | 22. 16; 14-01-16 |
| 14. 12-2460 | 23. 50; 14-02-14 |
| 15. 12-2471 | 24. 61; 14-02-25 |
| 16. 12-2553 | 25. 266; 14-07-15 |
| 17. 12-2567 | 26. 346; 14-08-19 |
| 18. 12-2644 | 27. 395; 14-07-12 |
| 19. 12-2667 | 28. 411; 14-10-06 |

b. Deliberation on Licensee Disciplinary Action Cases in which Issuance of Notices of Contemplated Action ("NCA") is Recommended:

Complaint Committee Recommendation: Authorize Pre-NCA Settlement Agreement; If Pre-NCA Settlement Negotiations Unsuccessful, Issuance of NCA

- | | |
|------------------|------------------|
| 1. 17; 14-01-17 | 5. 275; 14-07-18 |
| 2. 53; 14-02-13 | 6. 289; 14-07-17 |
| 3. 549; 13-12-27 | 7. 333; 14-08-19 |
| 4. 135; 14-04-10 | |

Complaint Committee Recommendation: Issuance of NCA

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|-------------------|-------------------|
| 8. 498; 13-11-15 | 14. 279; 14-07-08 |
| 9. 39; 14-02-03 | 15. 340; 14-08-28 |
| 10. 186; 14-06-19 | 16. 376; 14-09-16 |
| 11. 211; 14-06-25 | 17. 404; 14-08-29 |
| 12. 222; 14-06-27 | 18. 405; 14-09-30 |
| 13. 239; 14-07-09 | |

c. Attorney General's Report and Deliberation on Licensee Disciplinary Action Cases (Proposed Settlement Agreements):

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|-----------------------------|--|
| 1. 12-2347 & 222; 13-06-11* | 4. 12-2603 |
| 2. 12-2368 | 5. 78; 13-03-04 & 13-03-0004 & 13-2738 |
| 3. 12-2561 | |
| 6. 12-2419 | 9. 12-2660 |
| 7. 12-2438 | 10. 12-2669* |
| 8. 12-2657 | 11. 12-2675 |
| 12. 12-2407 | 14. 12-2601 |
| 13. 12-2581* | 15. 138; 13-04-17* |

***Special Considerations**

AGENDA

d. Defaults:

- | | |
|-------------|-------------|
| 1. 12-2535* | 4. 12-2551* |
| 2. 12-2536* | 5. 12-2580 |
| 3. 12-2546* | |

*Special Considerations

e. Deliberations in Connection with Administrative Adjudicatory Proceedings (Hearing Officer's Reports):

- | | |
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| 1. 11-1955 | 3. 12-2548 |
| 2. 11-2227 | |

f. Commission Counsel's Report on Pending or Threatened Litigation:

1. Kirby Gene Spillman v. Construction Industries Commission of NM Regulation and Licensing Dept. - Case No. D-307-CV-2012-02030
2. New Mexico Construction Industries Commission, et al. v. Environment New Mexico, et al., NM Supreme Court, Case No. _____

VIII. ACTION ON ITEMS DISCUSSED DURING EXECUTIVE SESSION

IX. NEXT MEETING DATE

Regular Meeting – January 21, 2015, Albuquerque, NM - RLD

X. ADJOURN